

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

RONDELL HENRY,

Defendant

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CASE NO. 19-1151-CBD

MOTION FOR DETENTION PENDING TRIAL

“I was just going to keep driving and driving and driving. I wasn’t going to stop.”

—Rondell Henry, April 3, 2019

The defendant, inspired by the ISIS terrorist organization and prepared to die for his cause, stole a vehicle with the intent of “plowing it through a crowd full of people” at the National Harbor. He must be detained pending trial.

Introduction

On April 3, 2019, the defendant was arrested pursuant to a federal criminal complaint, which charged him with violating 18 U.S.C. § 2312 (interstate transportation of stolen vehicle). What matters for purposes of the upcoming detention hearing is the reason why the defendant stole the vehicle: to use it to commit mass murder, in the pattern established by ISIS.

The Court held an initial appearance for the defendant on April 4, 2019. The Government moved for detention under 18 U.S.C. § 3142(f)(2), citing the defendant’s serious risk of flight and potential for obstruction. The Court set a detention hearing for 12:45 p.m. on April 9, 2019. To aid the Court’s determination that the defendant must be detained, the Government files this

memorandum in order to show that no condition or combination of conditions will reasonably assure either the defendant's appearance at future proceedings or the safety of the community.

Background on ISIS

On or about October 15, 2004, the United States Secretary of State designated Jama'at al-Tawhid wa'al-Jihad (popularly known as "al-Qaeda in Iraq" ("AQI")), as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224. On or about May 15, 2014, the Secretary of State amended the designation of AQI as an FTO under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant ("ISIL") as its primary name. The Secretary of State also added the following aliases to the FTO listing: The Islamic State of Iraq and al-Sham ("ISIS" – which is how the FTO will be referenced herein), The Islamic State of Iraq and Syria, ad-Dawla al-Islamiyya fi al-'Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. On September 21, 2015, the Secretary added the following aliases to the FTO listing: Islamic State, ISIL, and ISIS. To date, ISIS remains a designated FTO.

ISIS has publicly claimed responsibility for several terrorist attacks, including the July 14, 2016, attack in Nice, France, in which a terrorist drove a cargo truck into a large crowd on the Promenade des Anglais, killing 86 people and injuring hundreds more.

The Defendant Must Be Detained As a Flight Risk and a Danger to the Community

Through investigation, law enforcement officers have learned the following information, much of it from the defendant himself. For two years, the defendant has harbored "hatred" (in his words) for "disbelievers" who do not practice the Muslim faith. Seeking out and watching videos

of foreign terrorists beheading civilians and fighting overseas, the defendant considered these gruesome actions brave and he wanted to emulate them. The defendant, though, did not have any weapons training. He was a computer engineer by trade, and knew nothing of explosives or firearms. But he knew how to drive, and he also knew of the terrorist truck attack in Nice, France. So the defendant decided to use what was readily at his disposal and conduct a vehicular attack on a crowd of innocents.

On Tuesday, March 26, 2019, the defendant walked off his job in Germantown, Maryland, in the middle of the day, determined to walk down the extremist path. Recognizing that his older four-door sedan would not cause the catastrophic damage that he desired, the defendant drove around the Washington, D.C., metropolitan area looking for a larger vehicle to steal. While seeking out a larger vehicle, the defendant—now fully committed to his mission—discarded his cell phone on an interstate highway, in an attempt to destroy evidence of the inspiration behind his attack.¹

In Virginia, the defendant saw a U-Haul van of an appropriate size—larger, heavier, and more durable than his own car—and tracked it to its storage location. The defendant would have preferred a larger vehicle, but his impatience to act spurred him to opt for the good rather than wait for the perfect.

¹ Law enforcement agents recovered the defendant's phone and on it found images of gun-wielding ISIS fighters, the ISIS flag, and the Pulse nightclub shooter.



After stealing the U-Haul van, the defendant continued driving around the metropolitan Washington, D.C. area, assessing target locations he already had decided would attract substantial media coverage. At approximately 5:00 a.m. on Wednesday, March 27, 2019, the defendant arrived at Dulles International Airport in Virginia. At that early hour, the airport lacked the large

number of unloading pedestrians the defendant hoped to find. So, reconsidering his options, the defendant exited his U-Haul and entered the terminal, trying to find a way through security to harm “disbelievers” in a way designed for maximum publicity. The defendant first tried to access a restricted area by piggy-backing behind a cleared individual. The defendant next studied the security checkpoint, looking for any weak spot through which he could slip. Finally, the defendant attempted to obtain paperwork from a check-in kiosk. After more than two hours of failing to breach Dulles’s security perimeter, the defendant returned to the U-Haul and his original plan of driving through a crowd.

The defendant then drove the U-Haul from Virginia to the National Harbor in Maryland, arriving around 10:00 a.m. on Wednesday, March 27, 2019. He wanted to create “panic and chaos,” the “same as what happened in France.” He had no escape plan, intending to die while killing others for his cause. In his own words, “I was just going to keep driving and driving and driving. I wasn’t going to stop.” But so early in the morning on a weekday, the defendant did not find the sizable crowd upon which he desired to inflict his radical conduct. He parked the U-Haul and walked around until he found what he considered an ideal spot for an attack, in a popular part of National Harbor. He even calculated how he may have to come off the road and onto the sidewalk in order to hit people. With the crowds still too thin, however, the defendant needed a place to hide until the time was right, so he broke into a boat and hid there overnight.

By the following morning, Thursday, March 28, 2019, police officers had discovered the location of the stolen U-Haul and were awaiting the return of whomever had stolen it. When the defendant leapt over the security fence from the boat dock, observant police officers arrested him.

Since his initial arrest by local authorities, the defendant has made several Mirandized statements. The quotations and statements of the defendant’s planning and purpose herein come

from those incriminating statements.

Conclusion

The Government respectfully submits that the defendant must be detained pending trial.

Respectfully submitted,

Robert K. Hur
United States Attorney

/s/ _____
Thomas P. Windom
Assistant United States Attorney